

U.S. Patent Application No. 09/844,563
Reply to Final Office Action dated August 9, 2006

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REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1, 2, 11, 19 and 23-36 are pending in this application. Claims 1, 11 and 19 are independent and hereby amended. Claims 3-10, 12-18 and 20-22 have been canceled without prejudice or disclaimer of subject matter. Support for this amendment is provided throughout the Specification and Drawings, specifically on pages 20-21, 40-42, 47-47 and Figures 6-9, 14-15 and 17-19. No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §102(e) and 35 U.S.C. § 103(a)

Claims 1-5, 11, 19, 23-25, 28, 29, 32, 33 and 36 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 5,963,203 to Goldberg et al. (hereinafter, merely "Goldberg").

Claims 26, 27, 30, 31, 34 and 35 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Goldberg in view of European Patent Application No. 0609819 to Gilligan et al. (hereinafter, merely "Gilligan").

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III. RESPONSE TO REJECTIONS

Claim 1 recites, *inter alia*:

"An information processing apparatus, comprising:

a first generation means for generating a first image for browsing corresponding to first data;

a second generation means for generating a second image for browsing corresponding to second data;

a first designation means for designating display positions of the first image and the second image along a virtual line so that the first image overlaps at least a portion of the second image; and

a first display control means for displaying the first image and the second image at the display positions designated by the first designation means,

wherein said first display control means controls the display of the first image and the second image such that the first image and the second image are aligned with a set of images in a curve which constitutes a circle, spirally with a set of images in a three-dimensional space or with a set of images in a planar manner." (emphasis added)

As understood by Applicants, Goldberg relates to interactive interfaces to video information providing displayed views of a quasi-object called a root image. The displayed view of the root image changes in accordance with a designated viewing position in view of the root image.

As understood by Applicants, Gilligan relates to a manual input device for controlling a cursor on a computer display (e.g., a mouse), which has a supplementary control device comprising a displaceable knob mounted on one side of the mouse housing, with the supplementary control being provided for concurrent scrolling and pointing. The supplementary control device generates a supplementary control signal in response to operation of the knob, which is designed to be operated by the thumb of the same hand, which holds the mouse. An

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associated method is provided for dynamically setting scrolling parameters through detection of pre-defined patterns in the cursor's trail, at the same time the mouse is operated. The scrolling direction is set in correspondence to the dominant axis present in the cursor's trail.

It is respectfully submitted that Goldberg does not render claim 1 unpatentable. The Office Action cites Figures 1A-C, 4, 5A-8 and 9 of Goldberg. Applicants submit that Figures referenced in Goldberg do not provide the disclosure of "the first image and the second image such that the first image and the second image are aligned with a set of images in a curve which constitutes a circle, spirally with a set of images in a three-dimensional space or with a set of images in a planar manner". Applicant respectfully disagrees with the assertion that Goldberg provides the disclosure of claim 1.

Applicants submit that in cited Figure 9 of Goldberg, there is no teaching or suggestion of "the first image and the second image such that the first image and the second image are aligned with a set of images in a curve which constitutes a circle". Applicants submit that the citation merely showcases a view of a branching root image (See Column 9, lines 22-24 of Goldberg).

In cited Figures 1A-C, 4, 5A-8 and 9 of Goldberg, there is no teaching or suggestion of "the first image and the second image such that the first image and the second image are aligned spirally with a set of images in a three-dimensional space". Applicants submit that the citations merely showcase various types of video icons, differing viewing positions and differing viewing effects, for example: a zoom effect (See Column 8, line 61- Column 9, line 25).

In cited Figures 6A-6B of Goldberg, there is no teaching or suggestion of "the first image and the second image such that the first image and the second image are aligned with

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a set of images in a planar manner". Applicants submit that the citations merely showcase a root image visually representing motion and a zoom effect (Column 9, lines 11-15).

Therefore, Applicants submit that Goldberg and Gilligan, taken alone or in combination, fail to teach or suggest the above-identified features of claim 1. Specifically, Applicants submit that there is no teaching or suggestion of an information processing apparatus wherein said first display control means controls the display of the first image and the second image such that the first image and the second image are aligned with a set of images in a curve which constitutes a circle, spirally with a set of images in a three-dimensional space or with a set of images in a planar manner, as recited in claim 1.

Indeed, Applicants submit that "...different viewing angles, the displayed image represents the root image seen from different perspectives. When the user designates viewing positions at greater or lesser distances from the root image, the displayed image increases or reduces the size and, preferably, resolution of the displayed information...", as stated in Goldberg on Column 5, lines 30-37, is completely different than said first display control means controls the display of the first image and the second image such that the first image and the second image are aligned with a set of images in a curve which constitutes a circle, spirally with a set of images in a three-dimensional space or with a set of images in a planar manner.

Furthermore, Applicants submit that not only does Goldberg and Gilligan, taken alone or in combination, fail to teach or suggest the claimed features, but the combination of Goldberg and Gilligan is improper because it lacks motivation. Applicants submit that one skilled in the art would not be motivated to combine an interactive video icon with a designated viewing position, as disclosed in Goldberg, with mouse and method for concurrent cursor position and scrolling control, as disclosed in Gilligan. Applicants respectfully submit that the

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combination of Goldberg and Gilligan is the result of improper hindsight using Applicants' claimed invention as a blueprint. Applicants also respectfully submit that picking and choosing particular features from divergent patents is improper and such a combination may not be used as a basis of rejection.

For the above-stated reasons, Applicants submit that the combination of Goldberg and Gilligan is improper and the rejection should be withdrawn.

Therefore, Applicants submit that claim 1 is patentable.

For reasons similar to those described above with regard to independent claim 1, independent claims 11 and 19 are also believed to be patentable.

Therefore, Applicants submit that independent claims 1, 11 and 19 are patentable.

IV. DEPENDENT CLAIMS

The other claims are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the above-identified reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portion or portions of the reference, or references, providing the basis for a contrary view.

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Please charge any additional fees that may be needed, and credit any
overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the
claims in this application are patentable and Applicants respectfully request early passage to
issue of the present application.

Respectfully submitted,

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